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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Sharon Mi Lyn Tan Art Unit : 3763
Serial No. : 10/690,436 Examiner : LoAn H. Thanh
Filed : October 22, 2003 Conf. No. : 3696
Title : CATHETER WITH A SIDEARM FOR DELIVERY OF ANTIMICROBIAL
AGENTS TO PREVENT INFECTION

Mail Stop Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO ACTION OF JUNE 5, 2006

In reply to the Office Action mailed June 5, 2006, Applicant requests consideration of the following remarks.

The Examiner rejected claims 1-26 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,371,944 ("Liu") in view of U.S. Patent No. 5,588,443 ("Davidson"), and further in view of U.S. Patent No. 5,413,561 ("Fischell"). In particular, the Examiner stated "Liu [] disclose[s] a system for use in the body comprising a catheter 7 [having] a side arm [and] a lumen through the side arm 9" (Office Action at 2.) But, rather than being a catheter, Liu's element 7 is a needle. (See, e.g., Liu col. 2, lines 47-50.) As one skilled in the art would understand, a needle of the type disclosed by Liu is not a catheter. Indeed, when characterizing the manner in which a catheter is commonly disposed within a blood vessel:

A guide wire is passed through a needle which has been inserted into the blood vessel. A catheter is then threaded on the guide wire into the blood vessel. (Id. col. 1, lines 26-29.)

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

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August 22, 2006
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